



BIENNIAL FEE RULE



Montana Fish, Wildlife & Parks

State Park System

~~Effective December 2002~~

Effective January 2004

Biennial Fee Rule

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STATE PARKS

- BEGINNING IN 2004, NO DAILY ENTRANCE FEE WILL BE CHARGED TO MONTANA RESIDENTS. ALL VEHICLES BEARING MONTANA LICENCE PLATES ARRIVING AT A STATE PARK WILL BE GRANTED FREE DAY-USE ACCESS FOR ALL OCCUPANTS OF THE VEHICLE.
- DAY-USE FEES WILL CONTINUE TO APPLY TO NON-RESIDENT VISITORS.
- NON-RESIDENT DAILY ENTRANCE FEES WILL CONTINUE TO BE CHARGED AS DEPICTED IN THE TABLE BELOW.
- NON-RESIDENT PASSPORT WILL CONTINUE TO BE AVAILABLE FOR THE ENTIRE SEASON.
- NON- RESIDENT VISITORS TO STATE PARK SITES WHO DO NOT ARRIVE IN A PRIVATE VEHICLE (i.e. – BUS PASSENGERS, BICYCLISTS, PEDESTRIANS, ETC.) SHALL PAY A PER PERSON DAILY ENTRANCE FEE OF \$1.00/\$2.00/\$3.00. MOTORCYCLES ARE CONSIDERED A PASSENGER VEHICLE.
- NON-RESIDENT CHILDREN UNDER 6 YEARS OLD ARE ADMITTED FREE TO THOSE SITES WHICH CHARGE A PER PERSON ENTRANCE FEE.
- ~~THE STATE PARK CAMPING FEE FOR PASSPORT HOLDERS IS REDUCED BY \$3.00 AT THOSE SITES WHERE DAILY ENTRANCE FEES ARE CHARGED PER VEHICLE.~~

SITE	SEASON	NON-RESIDENT DAILY ENTRANCE FEE		CAMPING
		Vehicle	Person	
Bannack	All Year		Adults \$3 Ages 6-12 \$1	\$12 Tepee - \$25- \$39/night
Beavertail Hill	5/1 – 9/30	\$5		\$15 Tepee - \$25- \$39/night
Chief Plenty Coups (No fee for Native Americans)	5/1-9/30		\$2	
Cooney	All Year	\$5		\$15
Flathead Lake				
Big Arm*		\$5		\$15 Yurt - \$25-\$39/night
Boat mooring buoy\$4	Day Use: All Year Camping: 5/1– 9/30			
Boat slip\$5				
Finley Point*	Day Use: All Year Camping: 5/1– 9/30	\$5		\$15
Wayfarers	Day Use: All Year Camping: 5/1– 9/30	\$5		\$15

SITE	SEASON	NON-RESIDENT DAILY ENTRANCE FEE		CAMPING
		Vehicle	Person	
West Shore	Day Use: All Year Camping: 5/1–9/30	\$5		\$15
Yellow Bay*	Day Use: All Year Camping: 5/1–9/30	\$5		\$15
*No daily entrance fee for enrolled Salish-Kootenai tribal members at Big Arm, Finley Point and Yellow Bay.				
Frenchtown Pond	5/1-9/30		\$2	
Giant Springs	All Year		\$2	
Greycliff Prairie Dog Town	5/1-9/30		\$1	
Hauser Lake (Black Sandy)	All Year	\$5		\$15
Hell Creek	All Year	\$5		\$15
Lake Elmo	All Year		Adults \$2 Ages 6-12 \$1	
Lake Mary Ronan	Day Use: Memorial Day-2/28 Camping: Memorial Day-9/30	\$5		\$12
Lewis and Clark Caverns	Day Use: All Year Camping: All Year	\$5 (Visitors not taking cave tour)		\$15 Cabins \$25-\$39/night
Guided Tours* (5/1 thru 9/30)				
Adults\$10				
Children (6-11 years).....\$5				
Education Groups				
Student \$4				
Adult \$8				

SITE	SEASON	NON-RESIDENT DAILY ENTRANCE FEE		CAMPING
		Vehicle	Person	
<p>*Note: For those visitors who retain their receipt, the fee shall be \$8.00 for the second and each subsequent caverns tour in a given season.</p> <p>*Guided tour fee includes daily entrance fee. Guided tour fee is discounted \$1.00 per person for those visitors arriving in a vehicle with a State Park passport (max. discount is \$5 per group).</p> <p>• Candlelight cave tours = \$15 for adults, \$8 for children (6-11 years)</p> <p>• Camping discount provided for those visitors taking the cave tour.</p>				
Logan	All Year	\$5		\$15
Lone Pine	Day Use: 4/15-11/1	\$5		
Meeting Rooms* (per day, includes daily entrance fee)				
Half day (up to 4 hours).....\$60				
Full day (4-8 hours).....\$100				
Hour or part thereof over 8 hours....\$10				
*20% discount Monday – Thursday for non-profit groups				
Madison Buffalo Jump	All Year			
Montana Residents		No Fee	No Fee	
Non-residents — Ages 6 and above		\$5		
Makoshika	All Year	\$5		\$12
Missouri Headwaters	Day Use: All Year Camping: All Year			
Montana Residents		No Fee	No Fee	\$12
Non-residents		\$5		\$12
Pictograph Cave	Day Use: 5/1-9/30	\$5		
Placid Lake	Day Use & Camping: 5/1-11/30	\$5		\$15
Salmon Lake	Day Use 5/1-11/30 & Camping: 5/1-9/30	\$5		\$15
Spring Meadow Lake	All Year		Adults \$2 Ages 6-12 \$1	
Thompson Falls	Day Use & Camping: 5/1-9/30	No Fee	No Fee	\$12
Montana Residents Non-residents		\$5		\$12
Tongue River	All Year	\$5		\$15

SITE	SEASON	NON-RESIDENT DAILY ENTRANCE FEE		CAMPING
		Vehicle	Person	
Ulm Pishkun	Visitor Center: All Year Upper Site: All Year (Check at Visitor Center)		Adults \$2 Ages 6-12 \$1	
Whitefish Lake	Day Use: 1/1-3/1 & 5/1-9/30 Camping: 5/1-9/30	\$5		\$15

**OFF SEASON CAMPING
(Oct. 1 through April 30)**

State Parks\$2 off the in-season rates

NOTE: The above-listed overnight camping fees include 4% the 7% accommodation tax for tourism promotion and park maintenance as per Section 15-65-101, MCA, and applicable state park day use fee for vehicles without State Parks Passports.

FISHING ACCESS SITE CAMPING
No camping discounts for State Parks passport holders.

SITE	CAMPING (PER NIGHT)	
	Fishing License Holders	Non-Fishing License Holders
Ashley Lake	\$7	\$12
Big Horn	\$7	\$12
Browne's Lake	\$7	\$12
Chief Looking Glass	\$7	\$12
Clearwater Crossing	\$7	\$12
Corrick's Riverbend	\$7	\$12
Craig	\$7	\$12
Dailey Lake	\$7	\$12
Dearborn	\$7	\$12
Ennis	\$7	\$12
Eureka Reservoir	\$7	\$12
Forest Grove	\$7	\$12
Grey Bear	\$7	\$12
Greycliff	\$7	\$12
Hannon Memorial	\$7	\$12
Harpers Lake	\$7	\$12
Harrison Lake	\$7	\$12
Harry Morgan	\$7	\$12
Indian Fort	\$7	\$12
Intake	\$7	\$12
Johnsrud	\$7	\$12
Loch Leven	\$7	\$12
Maiden Rock	\$7	\$12
Mallard's Rest	\$7	\$12
Martinsdale	\$7	\$12
Mid-Canon	\$7	\$12
Monture Creek	\$7	\$12
Mountain Palace	\$7	\$12
Nine Mile Prairie	\$7	\$12
Pelican Point	\$7	\$12
Pishun Reservoir	\$7	\$12
Prewett Creek	\$7	\$12
River Junction	\$7	\$12
Rosebud East	\$7	\$12
Russell Gates	\$7	\$12
Salmon Fly	\$7	\$12
Spite Hill	\$7	\$12
Stickney Creek	\$7	\$12

SITE	CAMPING (PER NIGHT)	
	Fishing License Holders	Non-Fishing License Holders
Thibodeau	\$7	\$12
Thompson Chain-of-Lakes	\$7	\$12
Upsata Lake	\$7	\$12
Valley Garden	\$7	\$12
Varney Bridge	\$7	\$12
Water Birch	\$7	\$12
Willow Creek Reservoir	\$7	\$12
Wolf Creek Bridge	\$7	\$12
York's Island	\$7	\$12

NOTE: DAILY ENTRANCE FEES DO NOT APPLY TO ANY FISHING ACCESS SITES.

- Fishing Access Site (FAS) camping seasons vary based upon specific site conditions, location, and other factors. Some sites may be closed during the winter season or portions of the year. Please check with the Regional Park Manager for the season status at a particular FAS.
- Non-residents who purchase a two-day, 10-day, or full-season fishing license at any time within the current license year shall be considered license holders for the entire year for the purposes of this Rule.

STATE OF MONTANA
DEPARTMENT OF FISH, WILDLIFE & PARKS

September 16, 2003

BIENNIAL FEE RULE
STATE PARK SYSTEM USER FEES

EFFECTIVE ~~December~~ 2002-January 2004

I. LEGAL AUTHORITY FOR RULES

- A. Sections 12-8-213, 23-1-105, 23-1-106, and 87-1-303, MCA, authorize the collection of fees and charges for the use of state park system units and fishing access sites, and contain rule-making authority for their use, occupancy and protection. Section 23-1-118 authorizes resident/nonresident fee differentials in primitive parks. By virtue of this authority, the department has promulgated the following rule.
- B. This fee rule is for non-commercial users of State Parks and Fishing Access Sites (FASs) and the Alberton Gorge program. Commercial users of state parks and other Department administered lands must register per 12.8.211, ARM, fees for commercial use will be assessed through the commercial use permit process.

II. DEFINITIONS

- A. Primitive parks are those sites listed in 23-1-116, MCA, subject to special restrictions on development and fee collection.
- B. Vehicle means any passenger car, motorcycle, mini van, pick-up truck, camper, or boat (where means of access is by water), and does not include commercial vehicles.
- C. A "camper unit" is defined as any sleeping device, such as a tent, motorhome, camping bus, pull-type camper or trailer, designed and commonly used for sleeping. A camper unit may include a combination of one vehicle and one sleeping unit at a single location (for example; a motorhome with an additional tent, a pickup camper with an additional tent, etc.).
- D. Commercial use shall be defined as a business or individual that, for monetary or other consideration, brings clientele into or to a designated recreation area, or provides a service to them (e.g. - guided walk or tour, float trip, shuttle service, equipment usage or rental, retail sales, etc.) within the area, or otherwise utilizes those lands or resources for consideration (Sections 23-1-102, MCA, 30-12-101, MCA, and 37-47-101, MCA).
- E. A Resident shall be defined as per 87-2-102, MCA.

- F. A Non-Resident(s) shall be defined, for the purposes of this Rule, as those individuals arriving at a state park in a vehicle bearing non-Montana license plates. All reasonable accommodations will be made by staff to address situations where a Montana resident travels to a site in a non-Montana licensed vehicle, and like situations.

III. FEES - DAILY USE FEES, PASSPORTS, LOW INCOME CAMPING

The 2003 Legislative Session enacted legislation which has provided for free daily entrance to state parks for Montana residents. Specifically, Montana residents who arrive at a state park in a vehicle bearing Montana license plates shall have the daily entrance fee waived for all passengers in the vehicle.

The daily entrance fee shall continue to be charged to non-residents utilizing the Montana state park system and sites.

- A. The non-resident daily entrance fee is the fee for gaining access to "designated fee areas" of the state park system, either on an annual passport or daily entrance permit basis.
- B. A non-resident passport is a pass (receipt plus windshield sticker), which allows the holder to gain entrance to state parks in-lieu of the daily entrance fee for a period of one fee year.

1. **Daily Entrance Fees**

Where applicable, no person shall enter or use park areas, campgrounds, or other facilities, or otherwise participate in programs or activities for which a fee has been established without first paying the required fee per Section 12.8.213, ARM.

NOTE: The payment schedule for the non-resident daily entrance fees to state parks as detailed on pages 1 through 3 depicts a daily entrance fee of \$5.00 per non-resident vehicle OR a \$1.00/\$2.00/\$3.00 per person fee, depending on the specific park. At no time will non-resident visitors pay both a vehicle and per person entrance fee. Daily entrance fees are mutually exclusive, as depicted in the tables.

Those non-resident visitors entering a designated fee area that ordinarily charges per vehicle, via a bicycle or similar means shall pay the single person entrance fee rather than the vehicle fee.

Individual disabled non-resident persons accessing a State Park in a vehicle shall be charged the single person daily entrance fee for the particular park, rather than the vehicle fee.

The following methods of payment are valid for site day use. Please reference the State Park fee chart on pages 1 through 3.

- a. The Daily Entrance Fee is a non-transferable use permit **for non-resident visitors**. The fee must be paid upon entering a fee site or area. One fee is required for each day the **non-resident** visitor or vehicle is in the fee area. To be valid, the permit must be completed and displayed by the holder according to the instructions. It permits the entry of one vehicle, and its occupants, into a park area, or the entry of a single person into a park on foot, by bus, bicycle, or motorcycle for a "single visit". A single visit shall be defined as a continuous stay within a designated area during a period when the park is generally open for public use. Payment of a single visit fee **by non-residents** shall authorize exits from and re-entries to all designated fee areas. The daily entrance permit is valid only for date of issue. If issued with an overnight camping fee, it is valid until posted camping checkout time at the park where originally issued.
 - i) The per person charge applies to walk-in visitors, (including access by commercial bus, bicycle, canoe, horseback, etc.), or any other means other than by conventional motor vehicle.
- b. The **Non-Resident State Park Passport** is an annual pass, which must be permanently affixed by the holder to the interior lower left area of the vehicles windshield to be valid. It permits entry to all designated fee areas. It can be purchased at selected license agents, department offices, and designated recreation fee areas. It is valid for one license year (March 1 through the last day of February) and admits one non-commercial vehicle and occupants. The following are the current options and costs for State Park passports.
 - i) Standard Passports
 - a) \$30 per vehicle.
 - b) \$20 for each additional vehicle (a maximum of 2 additional passes may be purchased).
 - ii) E-Passport Sales
 - a) ~~The public~~ **Non-residents** may purchase State Park Passports via the Internet. There will be a period of time between when the purchaser prints the temporary permit and when the Passport is received in the mail.

In recognition of the delay in receiving the Passport, the purchaser's temporary permit shall be valid for entry into State Parks for a period of 7 days following the date of purchase.

- b) A service fee (in addition to the standard passport rate) may be assessed for all E-Passports purchased via the Internet.

iii) ~~Low Income State Park Passport is a pass with all of the same provisions as listed above for the standard State Park Passport. The Low Income State Park Passport is available to low income resident individuals and families as established by standard eligibility documentation. Low Income State Park Passports are available for purchase only at the FWP Headquarters in Helena, Regional FWP offices, and at State Parks with visitor centers.~~

~~a) \$16 per vehicle for Montana Residents only (there are no non-resident low income passports).~~

~~b) \$8 for each additional vehicle if all are purchased at the same time (maximum of 2 additional passes may be purchased).~~

~~1) Those individuals or families wishing to purchase the Low Income State Parks Passport must present personal identification and a current document of one of the following;~~

~~(i) Food Stamp Program Identification Card~~

~~(ii) Medicaid Identification Card~~

c. Additional Passport Information

- i) When purchasing more than one State Park Passport (1 full price and up to 2 at half **reduced** price), all vehicle registrations may be required to be presented. All vehicles must be registered in the same name and/or registered to the same address.
- ii) Duplicate **non-resident** State Park Passports ~~for both the standard and Low Income Passports~~ (i.e. - lost or destroyed passports) are \$10.00.
- iii) For those holders of **non-resident** State Park Passports who have had replacement windshields installed with a current

year's passport in-place on the windshield, the peeled off passport or the largest remnants must be presented for a free replacement.

2. Camping

- a. An Overnight Camping Fee is charged per "camper unit". Unless posted otherwise, no more than two camper units may occupy one campsite. Each camper unit must pay an overnight camping fee. Regional Park Managers may restrict the number of occupants per campsite by posting the limits.
 - i) Campsites may not be left unattended for more than 48 hours unless the area is otherwise posted per Section 12.8.205(3), ARM. Most State Park campsites are posted to be occupied nightly.
 - ii) Fees for overnight camping are \$12 to \$15 per night. ~~Passport holders receive a \$3 discount on overnight camping at all State Parks if the individual State Park charges a daily entrance fee on a per vehicle basis. Please reference the fee chart on page 1 through 3 for overnight camping at individual State Parks.~~
 - iii) Campsites cannot be reserved or "held" by an individual or party for another individual or party that may be arriving later.
 - iv) An individual may not pay the camping fees to reserve or hold a site that is not occupied.
 - v) Boats of any type are not defined as "sleeping units" or "camping units" for the purpose of this fee rule, unless they are moored offshore or within a designated boat slip or marina.

3. Other Fees

- a. Other park fees are charged for miscellaneous facilities and services, and include, but are not limited to:
 - i) Group Use
 - ii) Guided tours
 - iii) Specialized sites (rifle ranges)
 - iv) Boat rental
 - v) Boat mooring & storage facilities
 - vi) Marine battery charging
 - vii) Extra vehicle in campsite
 - viii) Vehicle & trailer storage facilities

- ix) Showers
 - x) State provided structures (i.e. yurts, tepees, and cabins)
- b. Special-event guided tours (other than Lewis and Clark Caverns Cave Tours)
 - i) \$2.00 to \$5.00
- c. Camping in state-provided structures (yurts/tepees/cabins) - (includes day use fee for the group)
 - i) \$25 to \$39/night
- d. Showers
 - i) minimum \$1.00
- 4. Special-event fees ranging from \$1.00 to \$5.00 per person or \$4.00 to \$5.00 per vehicle or some combination of the two may be charged. ~~A discount will be provided for passport holders.~~
- 5. Each additional **non-resident** vehicle (car, motorcycle, mini-van, pick-up truck, camper, etc.) will pay the daily entrance fee as posted.

IV. **SPECIAL USE PERMITS**

- A. Special Use Permits shall be issued to organized groups or to individuals to address, document, and authorize specific uses of Department administered property or sites. To qualify for consideration for the granting of a special use permit, the following general criteria will be examined;
 - 1. The proposed use will comply with pertinent state and federal laws and regulations concerning public health, safety, air quality and water quality.
 - 2. The use will not adversely impact existing archeological, historic, or natural values and is not in conflict with existing classification policy guidelines and specific park management objectives.
 - 3. The necessary clean-up and restoration will be made for any damage to resources or facilities.
 - 4. The use will be restricted, to the extent practical, to an area where minimal impact is imposed on the natural, cultural or recreational resource values.
- B. Activities for which a special use permit is required may include, but are not limited to, the following:
 - ◆ general group activities
 - ◆ athletic events
 - ◆ group camping
 - ◆ boating events

- ◆ fishing derbies
- ◆ plant/insect collection
- ◆ educational visits
- ◆ brush clearing in an established right-of-way
- ◆ weddings

1. Group Use - The following rules apply to areas used by organized groups or groups of 30 or more individuals. These rules shall apply to all state parks and fishing access sites.
 - a. Telephone reservations may be made to the appropriate regional headquarters or park office. All telephone reservations must be confirmed within five (5) days by the completion and filing of a special use permit and the payment of the required fees via cash or check by a representative of the interested group in the appropriate regional office.
 - b. Department representatives shall have sole authority and discretion to determine if violation of rules and regulations or undue expense in cleanup or maintenance of the area shall be grounds for denying return of the cleaning/security deposit and/or denying another reservation to any group. The Department may post more specific or rigorous rules for the use of each group use area as group size and/or complexity of use dictates.
 - c. A cleaning/security deposit and a non-refundable use fee will be assessed for each permit.
 - d. In the event a reservation is canceled more than 3 days before the intended use period, the use fee and cleaning/security deposit will be refunded. If a reservation is canceled less than 3 days before the intended use period, only the cleaning deposit will be refunded. If area is unavailable for the intended use (due to unscheduled maintenance, bad weather, etc.), the fee and deposit will be refunded.
 - e. ~~At the discretion of the Regional Park Manager, g~~ Group use fees shall be **assessed** ~~accessed~~ as follows; ~~via either of two methods;~~
 - i) ~~Party Members Pay their own entrance fee to the site.~~
 - 1) ~~\$25 permit fee is paid by the organization or group leader (excluding residents at designated Primitive Parks).~~
 - 2) ~~Each individual pays the daily entrance fee at the specific site.~~
 - 3) ~~Cleaning/security deposit is paid by the organization or group leader, per the fee schedule below.~~

- ii) A Pre-Arranged Group Fee is paid before the event by the individual or organization requesting the permit.
 - 1) A pre-arranged amount is paid based upon the number attending per the schedule listed below.
 - 2) Cleaning/security deposit is paid, per the fee schedule below.

Group size	Minimum fee per day	Cleaning/security deposit
Under 30	\$ 60	\$ 50
30 – 50	\$ 90	\$ 75
51 – 100	\$ 120	\$ 100
101 – 200	\$ 250	\$ 200
>200	\$250+\$2/ per person	\$300

- f. Group camping fees are determined by the Park Manager based on the number of camping units and the fees in force at the park, group size, length of stay, and administrative costs.

V. PENALTY

- A. As appropriate for the specific site, No person shall enter or use park areas, campgrounds, or other facilities, or otherwise participate in programs or activities for which a fee has been established without first paying the required fee. Any violation of this provision is punishable by a fine not to exceed \$500 (Section 23-1-106, MCA and 12.8.213, ARM).
- B. In addition to a citation (Notice to Appear) failure or refusal to pay the required entrance fees at a park or Department administered fee area may result in immediate dismissal from the area.
- C. Inappropriate behavior, disorderly conduct, or similar disruptive actions on the part of visitors may result in immediate dismissal from the park or Department administered property.

VI. POSTING OF DESIGNATED AREAS

- A. Fee requirements shall be prominently signed and posted where a recreation fee is being charged.
- B. Individual sites within the State Park or Fishing Access Site (FAS) system may have areas and/or special events, which are posted with special site specific regulations. The FWP Commission delegates to the Director (or his Designee) the authority to post areas for special rules related to public health, safety,

welfare, and resource protection issues (23-1-106, MCA). These may include, but are not limited to:

1. Hours and season of operation.
2. Length of overnight stay in areas.
3. Areas where camping is restricted to designated areas only.
4. Areas/events where dogs and other pets are not allowed.
5. Areas/events in which glass containers are not allowed.
6. Areas/events in which alcohol is not allowed.
7. Areas where the use of firearms is prohibited and/or special weapons restrictions have been established as posted.
8. Requirements that campsites be occupied nightly.

VII. COOPERATIVE AREA PASSPORTS

- A. Cooperative Area Pass - The Fish, Wildlife, & Parks Commission delegates to the department the authority to work in cooperation with private nonprofit organizations and other government agencies to establish a joint fee structure or pass for visitors to these facilities. Upon successful negotiation, the commission delegates to FWP the authority to amend this fee rule accordingly.

VIII. FEE EXEMPTIONS

- A. A recreation fee may be discounted or exempted in the following instances:
 1. Regional Park Managers may discount or exempt recreation fees for organized tours or outings conducted for educational or scientific purposes and for those actively engaged in non-commercial medical treatment or therapy in the area visited.
 2. In addition, a Regional Park Manager may, when in the public interest, prescribe certain hours or days during which the collection of a recreation fee should be discounted or exempted for specific events, when services are reduced, or in case of hardship.
 3. In both instances, a cleaning/security deposit may be required.
- B. In addition to the above, no daily entrance fee shall be charged in the following instances:
 1. Educational Groups - Organized school groups or outings conducted for educational or scientific purposes qualify for an exemption of a daily entrance fee if:
 - a. The educational or scientific purpose is related to the resources of the area being visited.
 - b. The group is from a bona fide institution established for these purposes, including home schools.

- c. The group applies for and receives an exemption of fees by submitting documentation of their official recognition as an educational or scientific institution and a statement as to the purpose of their proposed visit.
 - d. The use for which the exemption is proposed is not primarily for recreational purposes.
- 2. Park Thoroughfares - No day use fee shall be charged for travel over any road or highway established as part of the National Federal-Aid System, which is commonly used by the public as a means of travel between two places, either or both of which are outside the designated day use fee area.
- 3. In-Holding Access - No day use fee shall be charged for travel by private non-commercial vehicle over any road or highway to any land within any designated day use fee area in which such person has a property right.
- 4. Official Government Business - No day use fee shall be charged any person conducting state, local, or federal government business.
- 5. Under Six - No daily entrance fee shall be charged for persons under 6 years of age.
- 6. Treaty Rights - No daily entrance fee shall be charged persons having right of access to lands or waters within a designated day use fee area for hunting or fishing privileges under a specific provision of law or treaty.
- 7. Toilet Breaks - No daily entrance fee shall be charged persons whose sole purpose when they stop in a state park is to use a toilet.
- C. State law (Section 23-1-105(2), MCA) provides that an overnight camping fee will be discounted 50% for a campsite rented by a Montana resident who is a:
 - 1. Senior citizen 62 years of age or older. Photo identification (e.g. Montana Driver's License) or a birth certificate must be displayed as proof of age.
 - 2. Disabled Person - who has been medically determined to be blind or permanently disabled. Verification of disability can be either a disability form obtained from FWP and signed by a physician, or a Resident Disability Conservation License. Either of these items must be presented as proof of disability.
 - 3. For Disabled Seniors, the Senior/Disabled discount cannot exceed 50% of the overnight camping fee at an individual site, ~~even if the Senior holds a State Park Passport.~~

IX. SEVERABILITY CLAUSE

- A. If a part of this fee rule is invalid, all valid parts are severable from the invalid part and shall remain in effect. If a part of this fee rule is invalid in one or more

or its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

XI. ALBERTON GORGE COMMERCIAL USE

A. BOUNDARIES

- 2) For the purpose of this fee rule, the boundaries for commercial use activities in the Alberton Gorge shall be defined as the region between and including St. John's FAS to Forest Grove FAS along the Clark Fork River and shall be known as the GORGE.

B. DEFINITIONS

1. COMMERCIAL USERS of the Gorge shall be defined as those businesses or groups who charge a fee of any type in the course of their activities on any FWP controlled property within the Gorge. The use of advertising and/or marketing is an additional means to further define commercial use.
2. HISTORICAL COMMERCIAL USERS of the Alberton Gorge shall be defined as those legitimate businesses that conducted demonstrated commercial use of the Gorge prior to January 1, 1998.
 - a. March 15, 1999 was the end of the time period when past and current commercial users of the Gorge could register with the Department to document their historical use. Those who failed to demonstrate to the Department proof of prior Commercial use by that date will not be considered historical commercial users.
3. COMMERCIAL USE LIMITATIONS
 - a. Effective March 15, 1999 only demonstrated historical commercial users will be allowed to conduct commercial activity within the Gorge.
4. REGISTRATION OF COMMERCIAL USERS
 - a. Effective March, 1998 and extending through March 15, 1999, a registration and permitting process for all commercial users of the Alberton Gorge was implemented by the Department. The purpose of the registration process was to identify and document all historical commercial users of the Gorge.
5. PERMITS
 - a. Each recognized commercial business using the Gorge will be issued a Commercial Use Permit by the Department. This Permit will be issued only to a commercial business and not to an individual.

- b. The Commercial Use Permits will be issued on a yearly basis by the Department.

6. FEES

- a. A fee of 3% of a commercial user's unadjusted gross revenue proceeds for that portion of their commercial business conducted on the Gorge shall be the yearly commercial use fee for the Alberton Gorge.
- b. The 3% commercial use fee shall be paid to the Department in two installments. The first payment shall be 50% of the commercial users anticipated yearly revenue and shall be due on March 15 of each year. The second installment shall be due on December 1 of each year and shall be based upon the actual commercial use proceeds generated during the past commercial use season. The second payment shall "balance the books" for an individual commercial user for that year.

ALBERTON GORGE
AUTHORIZED OUTFITTERS AS OF March 1999

NAME	BUSINESS NAME	CITY
Deb Moravec	10000 Waves	Missoula
Ray Baier	4 Seasons	Superior
John F Herzen	Blackfoot River Outfitters	Missoula
Tony Schoonen	Blue Ribbon Guides	Missoula
Jeff France	Board of Missoula	Missoula
Curt Bishop	*Eastern Washington U	Cheney, WA
Eli Whitman	*Fairchild AFB	Fairchild AFB, WA
Mike Hillygus	High Plains Drifter	Missoula
John Maki	John Maki Outfitters	Helena
Wayne Fairchilds	Lewis & Clark Trail Adventures	Missoula
Recreation Director	*Malmstrom AFB	Great Falls
Shawn Schanklin	Modus Operandi	Coeur d'Alene, ID
Mike Johnston	Montana River Guides	Lolo
Craig Madsen	MT River Outfitters	Great Falls
Gary Padgham	MT River Works	Bozeman
Jason Luker	*N Idaho College	Coeur d'Alene, ID
Tom Duncan	Northstar Wilderness	Liberty Lake, WA
Andrew Nachman	Northwest Voyageurs	Lucile, ID
John Willard	Pangaea Expeditions	Missoula
Dave Hanna	Quartz Creek Confluence	Seeley Lake
Peter Grub	River Odysseys West	Coeur d'Alene, ID
Mark Jones	River Resource Outfitter	Missoula
Pat Doty	Rocky Mountain Whitewater	Missoula
Ray Rugg	Rugg's Outfitting	Superior
Land Heflin`	Tarkio Kayak Adventure	Missoula
Dudley Improta	*U of M Campus Rec	Missoula
Jerry Nichols	Western Waters and Woods	Superior
Bob Jordan	Wild River Adventures	West Glacier
Kyle Brock	Wiley Whitewater	Liberty Lake, WA

*Institutional Outfitters

DAN WALKER, Chairman DATE
Fish, Wildlife & Parks Commission

M. JEFF HAGENER, Director DATE
Fish, Wildlife & Parks